

Addiction Family Support (AFS) Trustee Terms of Reference

These terms of reference are a set of guidelines that define and establish the role, responsibilities, duties and obligations of the AFS Trustees in managing the trust's (the charity's) assets and carrying out its objectives.

The objective of the terms of reference is to ensure that the trustees perform their role in a transparent, effective and efficient manner, in the best interests of the charity's beneficiaries.

Duties and obligations

The duties and obligations of a trustee are the responsibilities and tasks that the trustee must fulfil in order to carry out the objectives of the charity and protect the interests of the beneficiaries. Some of the common duties and obligations of a trustee include:

1. Management of AFS's assets: The trustee is responsible for managing the assets of the charity, including investments, real estate, and other property.
2. Compliance with laws and regulations: The trustee must ensure that the charity is operating in compliance with relevant laws and regulations, including tax laws and securities laws.
3. Duty of loyalty: The trustee must act in the best interests of the beneficiaries and not in their own personal interests.
4. Duty of care: The trustee must use due care, skill, and diligence in managing the charity's assets and making decisions on behalf of the beneficiaries.
5. Fiduciary duty: The trustee has a fiduciary duty to the beneficiaries, which means that they must act in good faith and with integrity in carrying out their responsibilities.
6. Investment decisions: The trustee must make informed investment decisions in accordance with the charity's investment policy.
7. Distribution of assets: The trustee is responsible for distributing assets to the beneficiaries as per the terms of the trust.
8. Record keeping: The trustee must keep accurate records of all transactions and holdings in the trust.

Role of the Board of Trustees

The role of the Board of Trustees is:

- To work collectively with fellow Trustees, the Chief Executive and other senior employees to further the organisation by ensuring the Trust has a clear vision, mission and strategic direction and is focused on achieving these, whilst ensuring that all activities are within the charitable objects.
- To monitor the delivery of the annual work plan ensuring delivery of key projects and milestones.
- To ensure the ongoing financial viability of the Trust and safeguard its assets for current and future beneficiaries of the Trust.
- To provide guidance and support to the Chief Executive and other senior employees.

Responsibilities

The Board of Trustees' responsibilities are to:

- Safeguard AFS's values and ethos, sense of social mission and charitable objects, while maintaining a strategic role in directing the work of AFS.
- Define and ensure compliance with AFS's values and objectives.
- Ensure that the affairs of AFS are conducted lawfully and in accordance with agreed standards of transparency, performance and probity and ensure that policies and plans are established to achieve AFS's objectives.
- Appoint new Trustees and undertake reviews of Board membership. Members who miss three consecutive meetings will be invited to resign from the Board.
- Bring independent judgment to bear on key functions such as strategy, accountability and performance, fundraising, and commercial and political acumen in global regions of AFS's areas of activity.
- Ensure that clearly defined operational objectives are formulated in support of established policies and plans.
- Maintain overall financial control of AFS, approving annual accounts, budgets and long-term financial plans.
- Appoint, appraise and if required, replace the Chief Executive Officer
- Determine the remuneration arrangements for the employed staff (to be delegated as appropriate to a subset of the Board).
- Establish and oversee a framework of delegation and a system of communication and control procedures defined in standing orders.
- Ensure that management information is prepared and put forward to facilitate comprehensive monitoring and compliance, particularly regarding Safeguarding, Health and Safety.
- Monitor performance in relation to plans, targets, decisions and controls.
- Ensure that a constructive review and appraisal process is in place regarding the Board's own performance, with a view to ensuring that there is continuous learning and improvement.
- Take ultimate responsibility for AFS and all its activities.

Overall purpose

The Board of Trustees (the Board) is responsible for AFS's effective governance and for determining the strategic direction of the organization. The trustees who sit on AFS's Board have and must accept ultimate responsibility for directing AFS's affairs and ensuring that it is solvent, well-run, and delivering the charitable outcomes for which it has been set up.

Membership

Membership of the Board will consist of a minimum of three trustees and a maximum of ten.

It is important for AFS to have ongoing involvement from Nicholas Mills' family and so additional arrangement may be made to ensure this.

Terms of office

The terms of office for a trustee refer to the length of time they are appointed to serve in the role. For AFS this will be three years, with the potential for a second three-year term. In exceptional circumstances, an additional two-year term may be added. End dates will be staggered and there must be three trustees for decisions to be considered quorate.

Quorum

The charity's governing document (2.2) notes that there is a quorum at a general meeting if the number of members or authorised representatives personally present in person or by proxy is at least two or one third of the members, if greater, unless the charity has a sole member, in which case one member shall form the quorum.

Arrangements for meetings

Meetings will be typically held (in person and/or electronically) quarterly in accordance with an agreed annual schedule of meetings and agreed standing agenda items. The Chair will take responsibility for servicing meetings. Papers for meetings should be received by trustees five working days prior to each meeting.

Addiction Family Support
Sep 24